

**CITY OF BROKEN ARROW  
MINUTES OF THE  
REGULAR MEETING OF THE  
PLANNING COMMISSION  
January 9, 2014**

The Planning Commission agenda for this meeting was posted on January 2, 2014, at 9:20 a.m., on the City Hall Bulletin Board, 220 South First Street, Broken Arrow, Oklahoma.

1. The Broken Arrow Planning Commission met on Thursday, January 9, 2014, at 5:00 p.m. The meeting was called to order by Chairperson Fred Dorrell.

2. **Roll Call:**

Present: Fred Dorrell, Chairperson  
Lee Whelpley, Vice Chairperson  
Ricky Jones, Commission Member  
Carolyn Isbell-Carr, Commission Member

Absent: Glenn Shaw, Commission Member

Staff Present: Lesli Myers, Asst. City Attorney  
Michael Skates, Development Services Director  
Brent Murphy, Asst. City Planner  
Jeff Westfall, Project Engineer  
David Steele, Planning Division Engineer  
Karissa Fischer, Admin. Asst.  
Kristina Penny, Project Coordinator

3. **OLD BUSINESS**

None.

4. **CONSENT AGENDA**

Brent Murphy presented the Consent Agenda.

Fred Dorrell explained the Consent Agenda process and asked if there were any items that needed to be removed from the Consent Agenda. No one responded.

**Motion** by Lee Whelpley to approve the Consent Agenda, as presented. The motion was seconded by Carolyn Isbell-Carr

Yes: Isbell-Carr, Jones, Whelpley, Dorrell

No: None

Abstain: None

**Motion** approved.

- A. Minutes of the Planning Commission meeting held December 19, 2013. This item was approved as presented.
- B. Consideration and possible action for BAL 1050, Xeta Technologies, Inc. Lot Split, 13.22 acres, one-quarter mile east of Aspen Avenue (145th E. Avenue), one-quarter mile south of Albany Street (61st Street), in Greenway Business Park. This item was approved as recommended by staff. The applicant was present and in agreement with the staff report.
- C. Consideration and possible action regarding, PT14-100, Preliminary Plat, Creekside Luxury Apartment Homes, 2 lots, 24.06 acres, PUD 177/RM and A-CH to PUD-177C/RM, south of Omaha Street (51st Street), west of Aspen Avenue (145th E. Avenue). This item was approved as recommended by staff and the Technical Advisory Committee (TAC), subject to the checklist. The applicant was present and in agreement with the staff report.

## **5. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**

None.

## **6. PUBLIC HEARINGS**

- A. The Commission considered PUD 177C and BAZ 1889, Creekside Apartments, 23.40 acres for PUD 177C and 3.18 acres for BAZ 1889, PUD 177/RM and A-CH to PUD 177C/RM, south of Omaha Street (51st Street), west of Aspen Avenue (145th E. Avenue).

Brent Murphy presented the background saying Planned Unit Development (PUD) 177C involves 23.40 acres located south of Omaha Street, west of Aspen Avenue. BAZ 1889 is a request to rezone over 3 acres associated with this PUD request to rezone from A-CH to RM. The majority of the property associated with PUD 177C has been platted previously as part of Sierra Apartments. Mr. Murphy said they are adding a little over 3 acres that was never platted and this portion was previously Commercial zoning.

Mr. Murphy said the property associated with PUD 177 was approved in November 2007 for a 246 unit apartment complex. He said that property was platted, a site plan was reviewed and approved; however, the complex was never constructed. A new developer is in the process of purchasing all of this property associated with PUD 177 and proposes to develop this area similar to what was approved previously with a few changes.

Brent Murphy said the additional 3.18 acres allows a primary entrance on Omaha Street, to be changed from the west side of the property over to the east side of the property, which makes it further away from an entryway from an existing apartment complex on the north side of Omaha Street. He said this PUD also proposes changes to the masonry façade requirements. The front part of the building will be 65% brick or stone and they will provide additional landscaping along east and west side of the property. He said all of the landscaping associated with the property will be in accordance with the Zoning Ordinance.

Mr. Murphy said based on the Comprehensive Plan, the location of the property and the surrounding land uses, staff recommends that PUD 177C and BAZ 1889 be approved subject to the property being replatted and some minor changes made to the design statement that is in the staff report. He said the applicant is present and has informed staff they are in agreement with the staff report.

Ricky Jones asked if the three acres, which were originally for commercial use, were being incorporated into multi-family zoning. Brent Murphy said yes, when PUD 177 was done it had Development Area A and Development Area B. Area B was the commercial area and was never platted, so they are in affect expanding the PUD and that is why it is before the Commission as a major amendment.

Fred Dorrell asked if the applicant is present.

Mark Capron, Sisemore & Weisz and Associates, the applicant, 4445 South Garnett, Tulsa, said they are in agreement with staff recommendations.

Fred Dorrell opened the public hearing and asked if anyone wished to speak about item 6A. No one responded. There were several people in the audience.

Fred Dorrell closed the public hearing.

**Motion** by Ricky Jones to approve item 6A, PUD 177C and BAZ 1889, per staff recommendations. The motion was seconded by Lee Whelpley.

Yes: Isbell-Carr, Jones, Whelpley, Dorrell

No: None

Abstain: None

**Motion** approved

Fred Dorrell said this item will be heard by City Council on February 4, 2014 at 6:30 p.m.

- B. The Commission considered PUD 224 and BAZ 1902, 116.78 acres, A-1 to CH/RM/PUD 224, one-quarter mile west of Aspen Avenue (145th East Avenue), north of Tucson Street (121st Street).

Brent Murphy presented the background saying this is Aspen Creek Village, 116.78 acres, located one-quarter mile west of Aspen Avenue, one-quarter mile east of Olive Avenue, north of Tucson Street, south of the Creek Turnpike. He said BAZ 1902 is a request to rezone this unplatted property from A-1 to RM and CH and has been submitted in conjunction with PUD 224. He said all together there are 94.2 acres of commercial and 22.5 acres of multi-family.

Mr. Murphy said the City Council approved BACP 132 in November, 2013 - a request to change the Comprehensive Plan from Level 3 to Levels 3 and 6. PUD 132 was approved subject to the property being platted and being developed through the PUD process. He said the rezoning request coincides with the BACP 132 case.

Brent Murphy said the Commission was provided a summary of how the PUD compares with the zoning ordinance. He said staff recommends that PUD 224 and the associated BAZ 1902 be

approved as presented in the document dated January 2014 and subject to the property being platted.

Ricky Jones said he compared this submittal to the Comp Plan Change PUD that was previously approved and did not see any significant changes. He asked if this was essentially the same as the draft PUD that was presented on the Comprehensive Plan Change. Brent Murphy said yes, there are minor changes but nothing significant from the draft that was submitted to the Commission previously.

Alan Betchan, 17 East 2<sup>nd</sup> Street, Sand Springs, OK, applicant, said he is in agreement with staff recommendations.

Fred Dorrell opened the public hearing and asked if anyone wished to speak on item 6B. No one responded. There were several people in the audience.

**Motion** by Ricky Jones to approve item 6B, PUD 224 and BAZ 1902, per staff recommendation. The motion was seconded by Carolyn Isbell-Carr.

Yes: Isbell-Carr, Jones, Whelpley, Dorrell

No: None

Abstain: None

**Motion** approved per staff recommendation.

Fred Dorrell said this item will be heard by City Council on February 4, 2014, at 6:30 p.m.

- C. The Commission considered PUD 225 and BAZ 1905, Silverleaf, 51.04 acres for PUD 225 and 6.47 acres for BAZ 1905, A-1 to PUD 225/RS-3, north and west of the northwest corner of 37th Street (209th E. Avenue) and Omaha Street (51st Street).

Brent Murphy presented the background saying PUD 225 involves 51.04 acres located north and west of the northwest corner of 37<sup>th</sup> Street and Omaha Street. In addition, BAZ 1905 is a request to rezone 6.5 acres on the south portion of this property from A-1 to RS-3, which is single-family residential. He said the property is presently unplatted.

Mr. Murphy referenced a drawing on the projector and said in November 2004 City Council approved a rezoning request and PUD 148 on the property to the north and said half of this property was developed as Hartford Park Addition. He said an additional 25 acres was acquired and in 2009, PUD 201, that encompassed all of the area, changed the zoning to single-family residential.

Mr. Murphy said an additional 6.47 acres to the south of PUD 201 was purchased by the developer and the items before the Commission are a request for a PUD overlay over the entire area, 51 acres, along with a rezoning request for single-family residential associated with the RS-3. He said the previous RS-3 zoning that had been approved will remain with this property and is similar to the Hartford Park Addition that has been developed to the north. The name will change to Silverleaf.

Brent Murphy said staff recommends approval of this PUD and rezoning with some minor modifications to the Design Statement. The applicant is in agreement with the staff report.

Fred Dorrell asked if the applicant was present.

Alan Betchan, AAB Engineering, 17 East 2<sup>nd</sup> Street, Sand Springs, OK, applicant, said they are in agreement with staff recommendations.

Fred Dorrell opened the public hearing for item 6C and asked if anyone wished to speak on this item. There were approximately 25 people in the audience. No one responded.

Fred Dorrell closed the public hearing.

**Motion** by Lee Whelpley to approve item 6C, per staff recommendations. The motion was seconded by Ricky Jones.

Yes: Isbell-Carr, Jones, Whelpley, Dorrell

No: None

Abstain: None

**Motion** approved per staff recommendations.

Fred Dorrell said this item will be heard by City Council on February 4, 2014, at 6:30 p.m.

**7. APPEALS**

None.

**8. GENERAL COMMISSION BUSINESS**

None.

**9. REMARKS, INQUIRIES AND COMMENTS BY PLANNING COMMISSION AND STAFF - (NO ACTION)**

None.

**10. ADJOURNMENT**

At 5:16 p.m., Motion by Carolyn Isbell-Carr to adjourn. The motion was seconded by Lee Whelpley.

Yes: Isbell-Carr, Jones, Whelpley, Dorrell

No: None

**Motion** approved.